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Attorneys for Defendant, specially appearing  
BROOKS HENDERSON HADEN

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IRETA IRBY

Plaintiff,

vs.

BROOKS HENDERSON HADEN

Defendants.

) No. 3:08-c-80004-PJH

)

) **NOTICE OF ORDER TO THE U.S.**

) **MARSHAL TO HOLD FUNDS FROM**

) **WAGE GARNISHMENT.**

)

) Date: March 31, 2008

) Time: 9:00 a.m.

) Crtrm: 3, 17<sup>th</sup> Floor

) Hon. Phyllis J. Hamilton

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)

**TO THE U.S. MARSHAL AND TO MECHANICS BANK:**

**PLEASE TAKE NOTICE** that on April 2, 2008, the U.S. District Court for the Northern District of California, the Honorable Phyllis J. Hamilton, presiding, entered an order permitting the U.S. Marshal to proceed with a levy in this case, pursuant to the Writ of Execution that was entered on March 3, 2008, and the Earnings Withholding Order which was issued on March 7, 2008, until further order of the Court.

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A true and correct copy of the Court's order is attached hereto as Exhibit "A".

DATED: April 3, 2008.

BARTLETT, LEADER-PICONE & YOUNG, LLP

BY: /s/ Malcolm Leader-Picone #104620  
MALCOLM LEADER-PICONE  
Attorneys for Defendant  
BROOKS HENDERSON HADEN

**PROOF OF SERVICE**

I, Malcolm Leader-Picone, declare that:

I am employed in the County of Alameda, California. I am over the age of eighteen years and not a party to the within action. My business address is 2201 Broadway, Suite 803 Oakland, CA 94612. On April 3, 2008, I served the following document(s) entitled:

**NOTICE OF ORDER TO THE U.S. MARSHAL TO HOLD FUNDS FROM WAGE GARNISHMENT**

upon the following person(s) in said action as follows:

<b><u>By Email and Express Mail:</u></b> Rhonda I. Nelson, Esq. Severson & Werson One Embarcadero Center, Suite 2600 San Francisco, CA 94111 Telephone: 415-398-3344 Facsimile: 415-956-0439 Email: rln@severson.com	<b><u>Chambers Copy By Express Mail:</u></b> Hon. Phyllis J. Hamilton U.S. District Court Judge U.S. District Court, Crtrm. 3, 17th Floor U.S. Courthouse/Phillip Burton Building 450 Golden Gate Avenue San Francisco, CA 94102
<b><u>By Express Mail:</u></b> U.S. Marshal: Federico L. Rocha U.S. Courthouse/Phillip Burton Building 450 Golden Gate Avenue, Room 20-6888 San Francisco, CA 94102	<b><u>By Express Mail:</u></b> Mo Omar Human Resources Department Mechanics Bank 3170 Hilltop Mall Road Richmond, CA 94806

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at Oakland, California, on April 3, 2008.

**/s/ Malcolm Leader-Picone #104620**  
Malcolm Leader-Picone

BARTLETT, LEADER-PICONE & YOUNG, LLP  
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Attorneys for Defendant, specially appearing  
 BROOKS HENDERSON HADEN

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

IRETA IRBY

Plaintiff,

vs.

BROOKS HENDERSON HADEN

Defendants.

) No. 3:08-c-80004-PJH  
 )  
 ) **ORDER TO THE U.S. MARSHAL TO**  
 ) **HOLD FUNDS FROM WAGE**  
 ) **GARNISHMENT.**  
 )  
 ) Date: March 31, 2008  
 ) Time: 9:00 a.m.  
 ) Crtrm: 3, 17<sup>th</sup> Floor  
 ) Hon. Phyllis J. Hamilton  
 )  
 )  
 )

**ORDER**

Upon the Application of defendant Brooks Haden for a temporary restraining order and order vacating registration of foreign judgment, the Court denies the Application. However,

**IT IS ORDERED** that

1. The U.S. Marshal's Office and Mechanics Bank may proceed with the levy pursuant to the Writ of Execution that was entered on March 3, 2008, and the Earnings Withholding Order which was issued on March 7, 2008, until further order of this Court;

2. The U.S. Marshal shall hold any funds received from Mechanics Bank pursuant to the Earnings Withholding Order, and not turn such funds over to the plaintiff or her counsel, until further order of

1 Court; and,

2 3. Defendant shall serve a copy of this Order on the following persons:

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4 U.S. Marshal: Federico L. Rocha  
5 U.S. Courthouse/Phillip Burton Building  
6 450 Golden Gate Avenue, Room 20-6888  
7 San Francisco, CA 94102

Mo Omar  
Human Resources Department  
Mechanics Bank  
3170 Hilltop Mall Road  
Richmond, CA 94806

7 4. The Court will hold a hearing on defendant's motion to vacate the registration of the  
8 judgment, and on a permanent injunction against enforcement of the judgment in California, on May 14, 2008  
9 at 9:00 a.m. Defendant shall have until Friday, April 4, 2008 to file his moving papers. The opposition brief  
10 shall be filed on or before April 23, 2008, and any reply shall be filed on or before April 30, 2008.

11 **SO ORDERED.**

12 DATED: April 1, 2008.



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15 Approved as to form:  
16 SEVERSON & WERSON

17 BY: /s/ Rhonda L. Nelson  
18 RHONDA L. NELSON  
19 Attorneys for Plaintiff  
IRETA IRBY

Rhonda L. Nelson, Esq.  
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